

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division



JIM MARKSON,

Plaintiff,

v.

CENTRAL INTELLIGENCE AGENCY, *et al.*,

Defendants.

Civil Action No. 1:14-cv-814

ORDER


This matter comes before the Court on Defendants' Motions to Dismiss the Complaint (Dkt. Nos. 39 & 41). The motions have been fully briefed by the parties (Dkt. Nos. 45, 46, 49 & 50), and the Court heard oral argument on November 7, 2014. Upon consideration of the pleadings and exhibits submitted by the parties, for the reasons stated in open court and for good cause shown, it is hereby **ORDERED** that:

1. Defendants' Motions to Dismiss counts I through IV (Dkt. No. 39 & 41) are **GRANTED** and those claims are **DISMISSED WITH PREJUDICE**, as the Civil Service Reform Act precludes his *Bivens* and Privacy Act claims because they arise out of his federal employment relationship. *Bush v. Lucas*, 462 U.S. 367 (1983); *Hall v. Clinton*, 235 F.3d 202 (4th Cir. 2000).

2. Defendants' Motions to Dismiss count V is also **GRANTED** but the claim is **DISMISSED WITHOUT PREJUDICE**. Should the plaintiff believe that the conspiracy count may be pled successfully with other facts, he shall have 30 days from the date of this order to refile this claim only. If no amended claim is filed within 30 days, the dismissal of count V shall be converted to a dismissal with prejudice.

November 19, 2014

Alexandria, Virginia

/s/ 
Liam O'Grady
United States District Judge